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KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

TYSONS CORNER

8000 TOWERS CRESCENT DRIVE

SUITE 1200

VIENNA, VIRGINIA 22182

(703) 918-2300

September 12, 2002

ORIGINAL

FACSIMILE

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Via Hand Delivery

Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554

Re:

Notice of Ex Parte Presentation by Z-Tel Communications,

Inc., WC Docket No. 02-214

Ms. Dortch:

Pursuant to Section 1.1206(b)(1) of the Commission's Rules, Z-Tel Communications, Inc. ("Z-Tel"), by its attorney, submits an original and two copies of this notice of an oral ex parte presentation made in the above-captioned proceedings on September 10, 2002. The ex parte presentation was made during a meeting attended by Brent Olson, Uzoma Onyeije, and Ian Dillner of the Wireline Competition Bureau; Peggy Rubino, Justin Laughlin of Z-Tel Communications, Inc.; and the undersigned. During the meeting, the attached materials were distributed and Z-Tel discussed, among other things, billing issues with Verizon-Virginia, Inc. Please date stamp and return in the envelope provided the duplicate copy of this letter and attachments. If you have any questions or need additional information, please contact me at (703) 918-2316.

Respectfully submitted.

Michael B. H

Attachments

cc:

Brent Olson Uzoma Onyeije

Ian Dillner

Peggy Rubino

Justin Laughlin

Qualex International

No. of Copies rec'd OT List ABCDE

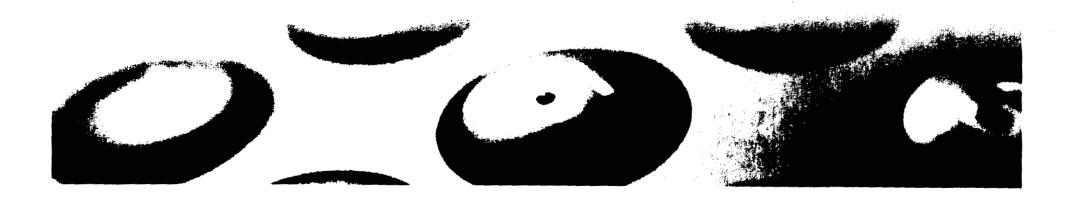
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Billing Issues in Virginia September 10, 2002

WC Dkt No. 02-214

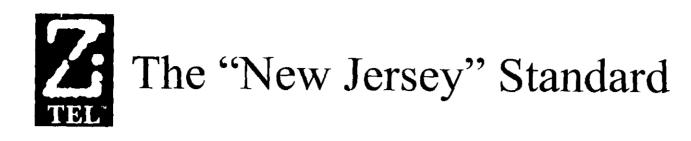




Billing OSS: a KEY issue

- CLECs do not receive "nondiscriminatory access" to billing OSS
- Z-Tel has aggressively pursued billing issues in prior 271 Applications, including Pennsylvania
- ➤ Z-Tel appealed to the DC Circuit the Commission's Pennsylvania 271 Order on billing issues

Even under the FCC's "New Jersey"
Standard, VZ-VA's Billing System Fails



 CLEC must demonstrate that Verizon's billing performance is "materially worse than it was in Pennsylvania at the time of Verizon's application in Pennsylvania...." -- New Jersey 271 Order, ¶ 127



VZ-VA Fails the "New Jersey" Standards

- VZ-VA is worse than VZ-PA at time of PA application
 - Accurate Virginia auditing is impossible
 - · Effectively three bills instead of one
 - No BOS/BDT (electronic bill) for "legacy" customers; paper bill only
 - Paper bills overstate usage fees by over 15x
 - Two Separate BOS/BDT accounts
 - Material problems exist with BOS/BDT
 - Improper taxes
 - False retail charges
 - Features
 - Voicemail
 - LifeLine
 - Inside wire
 - Mislabeled OS/DA charges



Verizon-South Does Not Resolve Billing Disputes

- Z-Tel has engaged in an ongoing struggle to resolve billing disputes with Verizon with little-to-no success
- On July 26, 2002, Z-Tel submitted formal request (per interconnection agreement) to resolve longstanding billing disputes
- Thus far, Verizon has failed to resolve any of Z-Tel's billing disputes



	351+	118	30
	251-350	19	16
	121-250	46	65
	91-120	30	11
	61-90	47	0
	31-60	27	14
Days	0-30	0	01
	State	PA PA	VA VA



Why Does This Matter?

- ➤ Billing OSS is and has always been a Checklist Item
- ➤ Nondiscriminatory Billing OSS access crucial to entry
 - ➤ Wholesale bills even inaccurate ones **directly** affect CLEC profit-loss statements and ability to raise capital
 - > As a result, billing accuracy is a component in every approved performance plan or filed plan

Bottom Line: Withholds from CLECs a Meaningful Opportunity to Compete



Recommendations

- Reject current application
- Fix billing data problems
- Require Verizon to make new, comprehensive showing that it is providing Billing OSS in nondiscriminatory manner

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